

Notice of Allowability

Application No.

09/489,171

Examiner

Paul Callahan

Applicant(s)

DOLJACK

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 4-20-07.
2. ☒ The allowed claim(s) is/are 45-60, 62-67, 87, 94-96, 100 and 101.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 5-4-07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. Claims 45-60, 62-67, 87, 94-96, 100, and 101 are pending and have been examined.

Terminal Disclaimer

2. The terminal disclaimer filed on April 20, 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,442,276 has been reviewed and is accepted. The terminal disclaimer has been recorded.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Warren Sklar, Esq. On May 4, 2007.

4. The application has been amended as follows:

IN THE CLAIMS:

Claim 100 is amended as follows:

100. A method of using coded information, comprising obtaining a random code intended to be coupled with a further non-random code, obtaining a non-random code including at least a secret portion that is encrypted so as to be decrypted only by use of a private key, combining the non-random code with the random code to obtain a combination code; encrypting the combination code; applying the encrypted combination code or associating it with at least one of an object, item, good, or program, etc.; and verifying authenticity of the at least one of the object, item, good, or program etc. or of some characteristic of the at least one of the object, item, good, or program etc. by decrypting that which was encrypted, including decrypting the secret portion by a private key.

Allowable Subject Matter

5. Claims 45-60, 62-67, 87, 94-96, 100, and 101 are allowed.

6. The following is an examiner's statement of reasons for allowance:

The closest prior art in the field, Gilham US 4,934,846, and Storch US 5,367,148, do not teach the combination of features found in independent claims 45, 53, 62, 64, 87, 94, 95, and 100, particularly including the combination code comprising a random portion and a non-random portion where the non-random portion includes a secret portion that is encrypted, all in the manner of the applicant as disclosed in his specification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Callahan whose telephone number is 571-272-3869. The examiner can normally be reached on M, W-F from 12pm to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise, can be reached on 571-272-3865. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul Cullahan

PEC

5-8-07

Emmanuel L. Moise
EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER